

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**FRANK PIERSON,
PLAINTIFF,**

V.

**SALLY BEAUTY SUPPLY, LLC,
AND/OR
SALLY BEAUTY HOLDINGS,
INC., d/b/a SALLY BEAUTY
SUPPLY,
DEFENDANT.**

CASE NO. 4:21-CV-00691-ALM

THE PARTIES' RULE 41 STIPULATION OF DISMISSAL WITH PREJUDICE

To the Honorable Judge of said Court:

Comes now all Parties to this Action, by and through his attorney or record, and files this

their Rule 41 his Notice of Nonsuit with Prejudice, stating as follows:

PROCEDURAL BACKGROUND

1. This case was stayed by the Court on October 27, 2021, pending the arbitration of the matter (Dkt. 11). Prior to the Stay, Defendants had filed an answer.

2. The Parties respectfully report that they have resolved their dispute while it was within the arbitration forum, and that as a part of this resolution all matters between the Parties have been resolved between the Parties within the Arbitration Forum and without need of additional relief from this honorable Court.

STIPULATED DISMISSAL WITH PREJUDICE

Therefore, the Parties respectfully stipulate pursuant to Rule 41 of the Federal Rules of Civil Procedure, that this case and all claims and actual or potential counterclaims are dismissed with prejudice. Although this Stipulated Dismissal is otherwise self-executing under Rule 41, the

Parties respectfully requests, if the Court deems it necessary or prudent, that the Court enter such other or further order or docket entry as necessary to close this case without the need of any additional relief in any form for either party.

RESPECTFULLY SUBMITTED,

/s/ Eric N. Roberson

Eric Roberson
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF CONFERENCE AND STIPULATION

The undersigned certifies that he has conferred with Defense Counsel by email, that a copy of this Document was provided therein, and that the Defendant agreed that the Plaintiff may file this document as a Stipulated Dismissal with the electronic signature of Defense Counsel affixed thereon.

/s/ Eric N. Roberson

Eric Roberson

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record will be served this document simultaneously upon filing by ECF.

/s/ Eric N. Roberson

Eric Roberson